

Remarks

In the official action, in paragraph one thereof, the Examiner states that claims 1-6, 11-12, 21-26 and 32-33 are presented for examination. While that is technically correct, the Examiner fails to note that also claims 7-10, 13-20 and 27-31 were also presented for examination. It is not understood why the Examiner did not examine all of the claims pending in this application. Perhaps a computer “glitch” occurred at the USPTO that led the Examiner to believe that some claims had been canceled. In any event, the official action is incomplete. If the Examiner has any information suggesting that claims 7-10, 13-20 and 27-31 have been canceled or withdrawn, the Examiner is respectfully requested to telephone the undersigned to discuss.

With respect to paragraph two of the official action, the Examiner objected to the specification because the Applicant failed to provide the section headings in the different sections of the specification as set forth in 37 CFR 1.77(b). With all due respect to the Examiner, the objection is not well taken. The section cited by the Examiner indicates that a utility patent application “should” include section headings. They are not mandatory. Nevertheless, in the spirit of cooperation, certain subtitles have been added to the application as the Examiner will note by reference to the amendments made to the specification.

Claim 1 has been amended to include the limitations from claims 5 and 19. Since claim 19 was not rejected in the official action, claim 1 now assumes the form of an un-acted-upon claim.

Additionally, claim 13 has been converted to an independent claim. Claim 13 was not acted upon by the Examiner.

Additionally, some of the dependencies of the dependent claims have been changed in concert with the changes made to the claims mentioned above.

Turning to the prior art rejections, in paragraph four, the Examiner asserts that the cited references Aichelmann “teaches the claimed method for controlling a magnetoresistive solid state storage device having...” With all due respect to the Examiner, where does Aichelmann teach anything about magnetoresistive solid state storage devices?

The Examiner is reminded, that in order to sustain a rejection under 35 U.S.C. 102, the cited document must teach each and every limitation of the rejected claims. As such, exactly where does Aichelmann teach a magnetoresistive solid state storage device?

As indicated above, claim 1 has been amended to incorporate the limitations from claim 19 which the Examiner has yet to consider.

With respect to claim 25, the Examiner asserts that its limitations are met by the Examiner's discussion of the rejections directed to claims 1-6, 11-12 and 21-24. However, since Aichelmann apparently teaches nothing with respect to magnetoresistive solid state storage devices, it is not seen how Aichelmann possibly anticipates claim 25.

The next independent claim in the application is claim 27. It is noted that in the official action, claim 27 is not acted upon and hence it is not rejected on any grounds whatsoever.

The next independent claim in the application is claim 32. Claim 32 is rejected as being fully anticipated by Aichelmann. However, where does Aichelmann teach "at least one array of magnetoresistive storage cells" as specifically claimed by claim 32?

Since the official action is incomplete, the Examiner is respectfully requested to issue a new, non-final, official action dealing with all of the claims active in this application.

Reconsideration of this application as amended is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

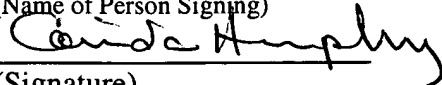
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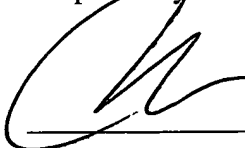
(Name of Person Signing)


(Signature)

July 26, 2004

(Date)

Respectfully submitted,



Richard P. Berg

Attorney for Applicants

Reg. No. 28,145

LADAS & PARRY

5670 Wilshire Boulevard, Suite 2100

Los Angeles, California 90036

(323) 934-2300